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In re Application of
Yamazaki et al
Application No. 08/907,182
Filed: August 6, 1997
Attorney Docket No. 07977/023002

SPECIAL PROGRAMS OFFICE
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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed September 21, 2000, to revive the above-identified application.

The petition is **Granted**.

The above-identified application became abandoned for failure to timely pay the issue fee. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

See MPEP711.03(c)(III)(A)(1). Therefore, the filing of a Request For Continued Examination (RCE) is not a proper reply. However, upon payment of the issue fee, the filing of an RCE with submission is proper to continue prosecution of the application pursuant to 37 CFR 1.114. Therefore, in view of the authorization contained in the petition to charge any additional fees due, the \$1210 issue fee will be charged to Deposit Account No. 06-1050.

If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

This application is being forwarded to Technology Center 1700 for processing of the request for continued examination under 37 CFR 1.114.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-8859.

A handwritten signature in black ink, reading "Karen Creasy". The signature is fluid and cursive, with a long horizontal flourish extending from the end of the name.

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy